

Exhibit 3



COUNTY OF ALAMEDA

SHERIFF/CORONER

Yesenia Sanchez

PRESIDENT

BOARD OF SUPERVISORS

Nathan A. Miley

June 6, 2023

Honorable Board of Supervisors
County Administration Building
1221 Oak Street
Oakland, California 94612

Dear Board Members:

SUBJECT: ADOPT AN ORDINANCE ADDING CHAPTER 10.40 TO TITLE 10 OF THE ALAMEDA COUNTY ORDINANCE CODE PROHIBITING SPECTATORS AT SIDESHOWS, STREET RACES, AND RECKLESS DRIVING EXHIBITIONS

RECOMMENDATION:

Approve an ordinance adding Chapter 10.40 to Title 10 of the Alameda County Ordinance Code prohibiting spectators at sideshows, street races, and reckless driving exhibitions.

DISCUSSION/SUMMARY:

Approving this ordinance would make it unlawful to attend a sideshow or an illegal street race or reckless driving exhibition (referred to as a "Sideshow Event") as a spectator. Violation of this ordinance is a misdemeanor and individuals who violate this ordinance will be subject to a fine up to one thousand dollars (\$1,000), a sentence of up to six months in jail, or by both a fine and imprisonment.

BACKGROUND

California law already prohibits drivers and passengers from engaging in Sideshow Events by criminalizing illegal street racing and illegal exhibitions of reckless driving. Existing law allows a peace officer to arrest a person and seize their motor vehicle if the peace officer determines that the person was engaged in these activities. But Sideshow Events include many other individuals, including pedestrians and other drivers and passengers who attend the Sideshow Event as spectators, and who may also participate in blocking or preventing access to the highway or other property where the Sideshow Event occurs or as starters.

Spectators play a part in Sideshow Events by encouraging, popularizing, and facilitating these events. Sizable crowds will gather to watch races or side shows. Spectators will often take video recordings of these events and post them on social media. This behavior can expose street racing and reckless driving exhibitions to a broader audience and potentially perpetuate the activity and increase its popularity. This ordinance establishes the elements necessary for spectators at sideshows to also be held accountable.

Sideshows cause significant damage to unincorporated Alameda County infrastructure including by harming or destroying intersection markings, street signs, poles, and other equipment; this infrastructure is critical for public safety and requires replacement after a Sideshow Event, which diverts resources from other critical safety improvements.

Sideshows typically occur during times when violent and property crime rates are high in unincorporated areas and the Alameda County Sheriff's Office is already addressing high emergency call volumes; Sideshows require a law enforcement response that diverts Alameda County Sheriff Office personnel from responding to these other emergencies.

Sideshows create an unsafe environment for the communities in which they occur because participants and spectators drive recklessly before, during, and after the Sideshow Event. In addition, both participant drivers and spectators are often under the influence of drugs and alcohol and have often been associated with the discharge of firearms, resulting in higher violent crime rates and vandalism.

Sideshows drastically impact the quality of life in the communities where they occur by causing damage to vehicles and private and public property, reduced air quality due to the smoke released by burning rubber tires, noise pollution, and unmanageable crowds that leave behind garbage.

Promoters of sideshows attract hundreds of people from outside of unincorporated Alameda County that have no stake in the community and typically plan events in neighborhoods that already suffer from poverty, poorer health, higher crime rates, historic disinvestment, and the resulting poor equity indicators.

In Alameda County vehicles at sideshows have caused great bodily injury and death to spectators.

This ordinance will provide law enforcement another tool to stop and prevent sideshows and reduce risk in our neighborhoods. A number of cities and counties throughout California have enacted similar spectator ordinances.

FINANCING:

There is no net increase to County costs.

VISION 2026 GOAL:

The Ordinance meets the 10x goal pathways of a Crime Free County and Accessible Infrastructure in support of our shared vision of Safe and Livable Communities.

Very truly yours,



Nate Miley
President
Alameda County Board of Supervisors



Yesenia Sanchez
Sheriff/Coroner